



**PLAINTIFF'S MOTION FOR PARTIAL
SUMMARY JUDGMENT**

Pulliam v. County of Fort Bend, Texas, et al.

Case No. 4:22-cv-4210

EXHIBIT 14

<p>GENERAL ORDER</p> 	<p>Effective: 06-01-17</p>	<p># 08-03</p>
	<p>Section: Records Management</p>	<p>Replaces or Modifies: GO 38</p>
	<p>Title: Public Information and Media Relations</p> <p>Issued by: Chief Deputy D. Marcaurele </p>	

Purpose:

To establish guidelines concerning appropriate dissemination of information that the Fort Bend County Sheriff's Office (FBCSO) obtains during the course of its business.

Policy:

Information will be released to the public in accordance with applicable laws with due regard to the public's right to know while preserving appropriate confidentiality .

Definitions:

Information – Information that is written, produced, collected, assembled, or maintained under a law or ordinance or in connection with the transaction of the official business of the FBCSO. For further details see Texas Government Code (GC) Section 552.002.

Media – Persons associated with television, print, electronic, or radio news programs/services and related entertainment enterprises. For purposes of this General Order this term does not generally include social media (this is defined and governed under General Order 05-04).

Procedure:

- I. All information is considered public information and is subject to release to the public upon request in accordance with the procedures found in law and this General Order unless there is an exception to release found in GC Chapter 552, another law that establishes that certain information is not to be released, an order of a court, or an established common law right of privacy.
 - A. In order to insure that release of information does not violate confidentiality needs/requirements the following processes will be adhered to unless separate instructions are provided by law or this General Order
 1. Upon receipt of a written request for information a copy of the request will be sent to the Records Section Supervisor (RSS).
 2. The RSS is responsible for processing the request and insuring that timelines for response are met.
 3. The RSS will send a copy of all requests to the County Attorney's Office and the Chief Deputy.
 4. The RSS will coordinate with appropriate functional components of the FBCSO to gather information (examples include but are not limited to HR, Dispatch, CID, Jail). All personnel are to provide appropriate requested assistance to the RSS.
 5. Unless approved by the Sheriff, Chief Deputy, or Major over the Public Information function verbal requests for information will not be honored.
 6. In cases where there is an established process of release of standard information (examples include but are not limited to crash reports filed in the Statewide system, standard public information generated reports

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through RMS containing limited and accepted public information, standard jail booking/arrest inquiries) and the requestor accepts this information to fulfill his/her request the RSS or appropriate FBCSO component (example Jail) may release information without further authorization or review by the County Attorney's Office.

7. Prior to release of any information in an open criminal investigation the RSS will forward request to the CID Division commander for review to determine if a request for exception to release of information will be pursued. If request for exception is to be pursued then the matter will be referred to the County Attorney's office for presentation to the Attorney General's Office as applicable. This includes requests for investigative reports and any related information (examples include dispatch recordings).
8. The RSS or anyone authorized to release information is authorized as permitted by law to make appropriate and legally required redactions of information to preserve legally required privacy issues.
9. The RSS or anyone authorized to release information shall take all reasonable steps to insure that information released is not something whose release violates law.
10. The RSS may delegate functions within the Records Section; however, the RSS is still accountable for the proper release of information coming from the Records Section.

B. Specific Information Category Responses

1. Nothing in this General Order is intended to prevent personnel investigating cases from updating victims/witnesses about case progress as is appropriate as long as the information provided does not violate a specific law concerning privacy or appropriate investigative techniques.
2. The Jail Division Commander shall insure that the public has access to basic booking / arrest public information through a readily accessible avenue including but not limited to the FBCSO web page.
3. Requests from the Fort Bend County District Attorney's Office are considered an inter-governmental request and all information will be provided without need for further review in accordance with established processes.
4. This General Order does not detail processes concerning information requested through court orders such as subpoenas, in these cases the law will be followed.
5. If FBCSO HR directly receives a request for personnel file information the HR Director will coordinate release of information with the County Attorney's Office and the RSS according to established norms.
6. Information requests concerning internal matters such as General Orders and Policies/Memorandums/Working papers, etc... will be sent to the RSS and he/she will route to the Chief Deputy to determine if any or all of the information should be excepted from release. If the Chief Deputy determines exception(s) is/are justified under law he/she shall send to the County Attorney's Office for appropriate action and ruling from the Texas Attorney General's Office.
7. An attempt will be made to provide request public information in as quick a manner as is possible keeping in mind the following
 - i. The FBCSO is only required to provide information we possess and do not necessarily have to create new information to comply

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with a request. In cases where it is thought that the request will require creation of new information and the matter is not resolved by agreement with the requestor to withdraw or modify the request, the issue will be referred to the Chief Deputy for resolution.

- ii. If a request is too vague the FBCSO may ask the requestor for clarification in order to assist in providing requested information.
 - iii. A requestor shall be informed of costs associated with large/in-depth requests so they may make a decision on whether to proceed (it would be a waste resources to proceed only to have the requestor withdraw request because of associated cost)
- C. Authorization to release information and familiarity with Law
1. Only those employees authorized by this General Order or the Chief Deputy may make official release of FBCSO information. An employee not so authorized who makes release is subject to disciplinary action for violation of this section.
 2. Employees involved in the process of administering release of information for the FBCSO shall be familiar with the provisions of GC Chapter 552 and shall make every reasonable effort to abide by these provisions including but not limited to timelines.
- D. The FBCSO will charge persons a fee for public information documentation they receive in accordance with rules established pursuant to GC Chapter 552 and in line with the rules in effect as promulgated by the Texas Attorney General's Office. Any waiver to this charging must have approval of the Chief Deputy. The RSS will coordinate charging.
- E. Any employee made aware of a notice of intent to sue or request for preservation of information shall inform the RSS so that records may be preserved. The RSS will notify appropriate FBCSO components.
- F. Information will be maintained in accordance with the Texas State Library and Archives Commission's retention schedules (Local Schedules GR [Records Common to All Local Governments] and PS [Records of Public Safety Agencies]) and may be destroyed accordingly if there is no pending public information request, court order, civil case, criminal case issue, or notice as in E. preceding.

II. Media Relations

- A. The Major over the Public Information function is charged with developing and maintaining appropriate working relationships with the media.
1. The FBCSO Public Information Officers (PIOs) are the primary practitioners in day to day media interactions and shall develop relationships that foster appropriate dissemination of information to the public via media
 2. The Major over the Public Information function and the PIOs are to keep the Chief Deputy and Sheriff apprised of all media issues
 3. The Major over the Public Information function shall insure that any news/press releases are appropriate and shall work in close collaboration with the Sheriff and Chief Deputy so that this mission is effectively accomplished.
 4. No employee may issue a news/press release, speak with the media, or appear in a media presentation representing themselves as a member of the FBCSO unless he/she has authorization of the Major over the Public Information or higher authority or is acting in compliance with other

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authority detailed in this General Order.

B. Media at Crime/Incident Scenes

1. Integrity of scenes as detailed in General Order 09-04 shall always be maintained and Media will not be allowed inside a crime/incident secured perimeter without express authorization of Major or higher authority.
2. The Scene Commander (see General Order 09-04 for definition) shall insure that media arriving on scenes have knowledge of where they can stage and shall insure that information is shared as is appropriate. In major events the Scene Commander shall report through the chain of command to the Division Commander so that appropriate resources may be made available for media interactions.
 - i. The Scene Commander is authorized to give on scene interviews or authorize appropriate on scene personnel to give interviews if granting of such interview is within capability of on scene personnel and it is in the best interests of the FBCSO and public.
 - ii. In cases where there is more complexity the Scene Commander shall coordinate and facilitate the call out of higher authority to determine who gives an interview and what manner of interview is given.
3. Only employees authorized under this section may grant interviews and shall comply with professional appearance standards as detailed in Section II.C. of this General Order.

C. Press conferences

1. Shall be approved by the Major over the Public Information Function or higher authority.
2. The approving authority will insure that appropriate personnel are present and that issues such as equipment and location are in keeping with a professional and positive presentation environment.
 - i. Involved employees will take appropriate direction as to demeanor and presentation skills from the PIOs.
 - ii. Involved employees shall have a professional appearance in keeping with standards found in General Order 02-02.

D. Media Inquiries

1. The PIOs will generally be tasked with handling media inquiries and shall make efforts to appropriately address inquiries [this may mean handling them directly, referring them, or contacting higher authority for resolution].
2. If PIOs are not available (example - not during normal working hours) media inquiries will be referred to the Patrol Watch Commander for field operation issues (including Dispatch) or the Jail Watch Commander for issues dealing with issues inside the Jail. The Watch Commander shall be responsible for appropriately addressing inquiries [this may mean handling them directly, referring them, or contacting higher authority for resolution]

III. Requests for using personnel and/or facilities in motion picture/television/radio and related productions

- A. Any request to use FBCSO personnel and/or facilities shall be routed to the Chief Deputy for approval
- B. No employee is to enter into any talks or negotiate any use described in this section without prior authorization from the Chief Deputy


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IV. At any time in the processes detailed in this General Order the Chief Deputy may intervene and determine course of action to be taken if he/she deems the action is in the best interest of the FBCSO and maintenance of the public perception of integrity as long as his/her actions are in compliance with law.

V. Only the Sheriff or Chief Deputy may authorize exceptions to this General Order.

<p>GENERAL ORDER</p> 	Effective: 10-01-2021	# 08-03
	Section: Records Management	Replaces or Modifies: GO 38
	<p>Title: Public Information and Media Relations</p> <p>Issued by: Chief Deputy Mattie Provost</p>	

Purpose:

To establish guidelines concerning appropriate dissemination of information that the Fort Bend County Sheriff's Office (FBCSO) obtains during the course of its business.

Policy:

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Definitions:

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<p>GENERAL ORDER</p> 	Effective: 12-29-2022	# 08-03
	Section: Records Management	Replaces or Modifies: GO 38; Updated 12/29/2022
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- 2. Employees involved in the process of administering release of information for the FBCSO shall be familiar with the provisions of GC Chapter 552 and shall make every reasonable effort to abide by these provisions including but not limited to timelines.

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II. Media Relations

A. The Assistant Chief Deputy of Administrative Operations manages the Public Information Office (PIO) and is responsible for developing and maintaining appropriate working relationships with the media.

- 1. The FBCSO Public Information Officers (PIOs) are the primary practitioners in day to day media interactions and shall develop relationships that foster appropriate dissemination of information to the public via media
- 2. The Assistant Chief Deputy over the PIO and the PIOs are to keep the Chief Deputy and Sheriff apprised of all media issues
- 3. The Assistant Chief Deputy over the PIO function shall ensure that any news/press releases are appropriate and shall work in close collaboration with the Sheriff and Chief Deputy so that this mission is effectively accomplished.
- 4. No employee may issue a news/press release, speak with the media, or appear in a media presentation representing themselves as a member of the FBCSO unless he/she has authorization of the Assistant Chief Deputy over the PIO or higher authority or is acting in compliance

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C. Press conferences

1. Shall be approved by the Assistant Chief Deputy over the Public Information Function or higher authority.
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